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IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	Case No. C-04-3186-MHP
)	
Plaintiff,)	REQUEST TO CONTINUE AND
)	<u>STATUS CONFERENCE STATEMENT</u>
v.)	
)	TIME: November 17, 2005
ADA VITTALY, et al.)	DATE: 3:00 p.m.
)	PLACE: Courtroom 15, 18 th Floor
Defendants.)	

Plaintiff United States of defendant Alex Villasenor submit this Status Conference
 Statement pursuant to Court order.

1. **PROCEEDINGS SINCE SEPTEMBER 19, 2005, CASE MANAGEMENT
 CONFERENCE**

Since the September 19, 2005, Case Management Conference, the United States has
 completed its anticipated discovery.

Defendant Alex Villasenor has scheduled for December 7, 2005, the depositions of two IRS
 employees. The first IRS employee was assigned to determine the taxpayer's tax liabilities and the
 second employee was assigned to consider the taxpayer's settlement offer.

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2. FURTHER ANTICIPATED PROCEEDINGS

The United States anticipates that it will file a motion for summary judgment after discovery is completed.

3. REQUEST TO CONTINUE STATUS CONFERENCE

The November 17, 2005 status conference should be continued to December 12, 2005 at 3:00 p.m. for the reason that the parties' first round of discovery will be complete by that date and the parties will be in a better position to info the Court of what additional discovery, if any, will be necessary before the trial and summary judgment motions dates should be scheduled.

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IT IS ORDERED that the Status Conference in this matter be continued to 3.00 p.m.
on December 12, 2005.

Dated 11/14/2005

